

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

SHANE LAVIN, Individually and on Behalf  
of All Others Similarly Situated,

Plaintiff,

VIRGIN GALACTIC HOLDINGS, INC., MICHAEL  
A. COLGLAZIER, GEORGE WHITESIDES, DOUG  
AHRENS, JON CAMPAGNA,

Defendants.

Case No.: 1:21-cv-03070-ARR-TAM

**NOTICE OF MOTION**

Oral Argument Requested

PLEASE TAKE NOTICE that upon the accompanying Declaration of Colleen C. Smith, dated April 4, 2022, the exhibits attached thereto, the accompanying Request for Judicial Notice, and the accompanying Memorandum of Law, Defendants Virgin Galactic Holdings, Inc., Richard Branson, Chamath Palihapitiya, George Whitesides, Michael Moses, and Michael Colglazier will move this Court before the Honorable Allyne R. Ross, United States District Judge for the Eastern District of New York, at the United States District Court, 225 Cadman Plaza East, Brooklyn, New York, for an order dismissing the Corrected Amended Complaint with prejudice pursuant to Federal Rules of Civil Procedure 9(b) and 12(b)(6).

PLEASE TAKE FURTHER NOTICE that pursuant to the Order entered on February 22, 2022, answering papers shall be served on or before May 4, 2022, and reply papers shall be served on or before May 18, 2022.

Dated: April 4, 2022

Respectfully submitted,

/s/ Michele D. Johnson

LATHAM & WATKINS LLP

Michele D. Johnson (*pro hac vice*)  
Kristin N. Murphy (*pro hac vice*)  
650 Town Center Drive, 20th Floor  
Costa Mesa, CA 92626  
Tel: (714) 540-1235  
Fax: (714) 755-8290  
Email: michele.johnson@lw.com  
Email: kristin.murphy@lw.com

Colleen C. Smith (*pro hac vice*)  
12670 High Bluff Drive  
San Diego, CA 92130  
Tel: (858) 523-5400  
Fax: (858) 523-5450  
Email: colleen.smith@lw.com

*Attorneys for Defendants*